

1 A bill to be entitled
2 An act relating to child care and early learning
3 providers; amending s. 170.201, F.S.; providing an
4 exemption for public and private preschools from
5 specified special assessments levied by a
6 municipality; defining the term "preschool"; amending
7 s. 220.19, F.S.; defining the term "eligible child
8 care facility"; authorizing specified tax credits for
9 corporations establishing and operating, or making
10 payments to, eligible child care facilities for their
11 employees under certain conditions; specifying
12 requirements for such credits; providing the maximum
13 annual amount for all tax credits; requiring the
14 Department of Revenue to approve applications for such
15 credits before they are claimed; providing that
16 certain corporations may be authorized to claim such
17 credits on consolidated return basis; requiring
18 eligible child care facilities to meet certain
19 requirements to receive such credits; authorizing two
20 or more corporations to jointly establish and operate
21 an eligible child care facility; providing
22 requirements for such joint establishment and
23 operation; requiring payments to certain eligible
24 child care facilities to meet specified conditions;
25 providing application requirements; authorizing the

26 department to adopt rules; requiring certain decisions
 27 to be in writing and include specified information;
 28 requiring prior written verification by specified
 29 entity relating to licensing; amending s. 402.305,
 30 F.S.; revising licensing standards for all licensed
 31 child care facilities and minimum standards and
 32 training requirements for child care personnel;
 33 requiring the Department of Children and Families to
 34 conduct specified screening of child care personnel
 35 within a specified timeframe and issue provisional
 36 approval of such personnel under certain conditions;
 37 providing an exception; deleting a requirement that
 38 the department evaluate certain training requirements
 39 and testing procedures; prohibiting minimum standards
 40 from requiring more than two staff members with
 41 specified training to be present at all times when
 42 children are present; deleting provisions relating to
 43 educating parents about the importance of specified
 44 immunizations, a program to assist children in
 45 preventing and avoiding physical and mental abuse, and
 46 specialized child care facilities for the care of
 47 mildly ill children; amending s. 402.3115, F.S.;
 48 requiring the department and certain local
 49 governmental agencies to develop and implement a plan
 50 to eliminate duplicative and unnecessary inspections

51 of home providers; revising requirements for an
52 abbreviated inspection plan for certain child care
53 facilities; requiring the department to submit a
54 report to the Governor and Legislature by a specified
55 date; requiring the report to contain certain
56 information and recommendations; requiring the
57 department to adopt rules and revise policies based on
58 such recommendations; requiring the department to
59 revise a specified plan; authorizing the department to
60 contract for the production of the report; amending s.
61 402.316, F.S.; authorizing certain child care
62 facilities to operate without a license; amending s.
63 627.70161, F.S.; providing that specified insurance
64 provisions apply to large family child care homes;
65 amending s. 1002.55, F.S.; revising requirements for
66 public school and private prekindergarten providers;
67 amending s. 1002.67, F.S.; prohibiting a specified
68 curriculum from including a certain program and
69 electronic devices; providing an exception; amending
70 s. 1002.68, F.S.; requiring the program assessment to
71 be conducted in accordance with specified
72 requirements; amending s. 1002.82, F.S.; revising the
73 powers and duties of the Department of Education for
74 the administration of the Child Care and Development
75 Block Grant Trust Fund; amending s. 1002.83, F.S.;

76 | revising the appointment of members of the early
 77 | learning coalition; amending s. 1002.89, F.S.;
 78 | providing for specified financial support to child
 79 | care providers and staff to be included in the school
 80 | readiness program costs; amending s. 1002.945, F.S.;
 81 | revising requirements for a child care provider to
 82 | obtain and maintain a designation as a Gold Seal
 83 | Quality Care provider; amending s. 1002.95, F.S.;
 84 | authorizing early learning coalitions to support a
 85 | specified scholarship program; amending s. 1008.25,
 86 | F.S.; requiring, rather than authorizing, certain
 87 | students to be eligible to receive certain reading
 88 | interventions before kindergarten without first being
 89 | referred to the local school district; amending ss.
 90 | 39.101, 1002.57, and 1002.59, F.S.; conforming cross-
 91 | references; providing an effective date.

92 |
 93 | Be It Enacted by the Legislature of the State of Florida:
 94 |

95 | Section 1. Subsection (2) of section 170.201, Florida
 96 | Statutes, is amended to read:

97 | 170.201 Special assessments.—

98 | (2) Property owned or occupied by a religious institution
 99 | and used as a place of worship or education; by a public or
 100 | private preschool, elementary school, middle school, or high

101 school; or by a governmentally financed, insured, or subsidized
 102 housing facility that is used primarily for persons who are
 103 elderly or disabled shall be exempt from any special assessment
 104 levied by a municipality to fund any service if the municipality
 105 so desires. As used in this subsection, the term "religious
 106 institution" means any church, synagogue, or other established
 107 physical place for worship at which nonprofit religious services
 108 and activities are regularly conducted and carried on and the
 109 term "governmentally financed, insured, or subsidized housing
 110 facility" means a facility that is financed by a mortgage loan
 111 made or insured by the United States Department of Housing and
 112 Urban Development under s. 8, s. 202, s. 221(d) (3) or (4), s.
 113 232, or s. 236 of the National Housing Act and is owned or
 114 operated by an entity that qualifies as an exempt charitable
 115 organization under s. 501(c) (3) of the Internal Revenue Code.
 116 For purposes of this subsection, the term "preschool" means any
 117 child care facility licensed under s. 402.305 that serves
 118 children under 5 years of age.

119 Section 2. Section 220.19, Florida Statutes, is amended to
 120 read:

121 220.19 Child care tax credits.—

122 (1) DEFINITIONS.—For purposes of this section, the term
 123 "eligible child care facility" means a child care facility as
 124 defined in s. 402.302 that:

125 (a) Is licensed under s. 402.305; or

126 (b) Is exempt from licensure under s. 402.316.

127 (2) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

128 (a)1.a. A credit of 50 percent of the startup costs of an
 129 eligible child care facility operated by a corporation for its
 130 employees is allowed against any tax due under this chapter for
 131 a taxable year.

132 b. An additional credit against such tax is allowed for
 133 the operation of an eligible child care facility by a
 134 corporation for its employees, which credit is in the amount of
 135 \$300 per month for each child or grandchild of such employee
 136 enrolled in the facility if such employee is a caregiver, as
 137 defined in s. 39.01(9), to such child or grandchild.

138 2. A credit is allowed against any tax due under this
 139 chapter for a taxable year for a corporation making payments to
 140 an eligible child care facility if the payments are made in the
 141 name of and for the benefit of an employee employed by the
 142 corporation whose child or grandchild attends the child care.
 143 The credit shall be in an amount equal to 100 percent of the
 144 amount of such child care payments up to a maximum credit of
 145 \$3,600 per child per year. The corporation may make payments
 146 directly to the facility or contract with an early learning
 147 coalition to process payments.

148 (b) The maximum credit amount for all approved child care
 149 costs incurred by the corporation in a taxable year is based on
 150 the average number of employees employed by the corporation

151 during such year. For an employer that employed:

152 1. One to twenty-five employees, the maximum credit is

153 \$50,000.

154 2. Twenty-six to fifty employees, the maximum credit is

155 \$100,000.

156 3. Fifty-one to seventy-five employees, the maximum credit

157 is \$150,000.

158 4. Seventy-six to one hundred employees, the maximum

159 credit is \$200,000.

160 5. One hundred one to two hundred employees, the maximum

161 credit is \$300,000.

162 6. Two hundred one to five hundred employees, the maximum

163 credit is \$500,000.

164 7. More than five hundred employees, the maximum credit is

165 \$600,000.

166 (c) The total amount of tax credits that may be approved

167 under this section is \$2.5 million annually.

168 (d)-(1) If the credit granted under this section is not

169 fully used in any one year because of insufficient tax liability

170 on the part of the corporation, the unused amount may be carried

171 forward for a period not to exceed 5 years. The carryover credit

172 may be used in a subsequent year when the tax imposed by this

173 chapter for that year exceeds the credit for which the

174 corporation is eligible in that year under this section after

175 applying the other credits and unused carryovers in the order

176 provided by s. 220.02(8).

177 ~~(e)(2)~~ If a corporation receives a credit for child care
 178 facility startup costs, and the facility fails to operate for at
 179 least 5 years, a pro rata share of the credit must be repaid, in
 180 accordance with the formula:

$$A = C \times (1 - (N/60))$$

182 Where:

183 ~~1.(a)~~ "A" is the amount in dollars of the required
 184 repayment.

185 ~~2.(b)~~ "C" is the total credits taken by the corporation
 186 for child care facility startup costs.

187 ~~3.(c)~~ "N" is the number of months the facility was in
 188 operation.

189
 190 This repayment requirement is inapplicable if the corporation
 191 goes out of business or can demonstrate to the department that
 192 its employees no longer want to have a child care facility.

193 (f) A taxpayer that files a consolidated return in this
 194 state as a member of an affiliated group under s. 220.131(1) may
 195 be allowed the credit on a consolidated return basis.

196 (3) ELIGIBILITY REQUIREMENTS.—

197 (a) A corporation may only claim a credit for the creation
 198 or operation of, or payments to, an eligible child care
 199 facility.

200 (b) The services of an eligible child care facility for

201 which a corporation claims a credit under subparagraph (2) (a)1.
 202 must be available to all employees employed by the corporation,
 203 or must be allocated on a first-come, first-served basis, and
 204 must be used by employees employed by the corporation.

205 (c) Two or more corporations may jointly establish and
 206 operate an eligible child care facility according to this
 207 section. If two or more corporations choose to jointly establish
 208 and operate an eligible child care facility, or cause a not-for-
 209 profit corporation to establish and operate an eligible child
 210 care facility, the corporations must file a joint application,
 211 or the not-for-profit corporation may file an application
 212 pursuant to subsection (4) setting forth the corporations'
 213 proposal. The participating corporations may proportion the
 214 credits in any manner they choose; however, participating
 215 corporations may not receive more than \$600,000 in credits for
 216 all approved child care costs incurred by the participating
 217 corporations in any one taxable year.

218 (d) Child care payments for which a corporation claims a
 219 credit under subparagraph (2) (a)2. may not exceed the amount
 220 charged by the eligible child care facility for other children
 221 of like age and ability of persons not employed by the
 222 corporation.

223 (4) APPLICATION REQUIREMENTS.—Beginning January 1, 2024, a
 224 corporation may submit an application to the department for the
 225 purposes of determining qualification for a credit under this

226 section to be applied to a taxable year beginning on or after
227 January 1, 2024. The department must approve the application for
228 the credit before the corporation is authorized to claim the
229 credit on a return.

230 (a) The application must include:

231 1.a. For a credit under sub-subparagraph (2)(a)1.a., a
232 proposal for establishing an eligible child care facility for
233 use by its employees, the total number of employees' children
234 and grandchildren expected to be enrolled, and the expected date
235 operations will begin. A credit may not be claimed on a return
236 until operations have begun.

237 b. For a credit under sub-subparagraph (2)(a)1.b., the
238 total number of children and grandchildren for whom child care
239 will be provided at the eligible child care facility, and the
240 total number of months the facility is expected to operate
241 during the taxable year in which the credit will be earned.

242 c. For a credit under sub-subparagraph (2)(a)2., the total
243 number of children and grandchildren for whom child care
244 payments will be paid and the estimated total annual amount of
245 such payments.

246 2. The taxable year in which the credit is expected to be
247 earned. A corporation may apply for a credit to be used for a
248 prior taxable year at any time before the date on which the
249 corporation is required to file a return for that year pursuant
250 to s. 220.222.

251 3. Written verification by the Department of Children and
 252 Families or local licensing agency that the facility is an
 253 eligible child care facility. Such verification must be attached
 254 to the application.

255 (b) The department shall approve tax credits on a first-
 256 come, first-served basis.

257 (5) ADMINISTRATION.—

258 (a) The department may adopt rules to administer this
 259 section, including rules for the approval or disapproval of
 260 proposals submitted by corporations and rules to provide for
 261 cooperative arrangements between for-profit and not-for-profit
 262 corporations.

263 (b) The department's decision to approve or disapprove a
 264 proposal must be in writing, and, if the proposal is approved,
 265 the decision must state the maximum credit authorized for the
 266 corporation.

267 (c) All applications approved under this section require
 268 prior written verification by the Department of Children and
 269 Families or local licensing agency that the facility is an
 270 eligible child care facility.

271 Section 3. Paragraph (g) of subsection (2) of section
 272 402.305, Florida Statutes, is redesignated as paragraph (f),
 273 subsection (18) is renumbered as subsection (17), and paragraph
 274 (a) of subsection (1), paragraphs (a) and (e) and present
 275 paragraph (f) of subsection (2), paragraph (a) of subsection

276 (7), subsections (9) and (13), and present subsection (17) of
 277 that section are amended, to read:

278 402.305 Licensing standards; child care facilities.—

279 (1) LICENSING STANDARDS.—The department shall establish
 280 licensing standards that each licensed child care facility must
 281 meet regardless of the origin or source of the fees used to
 282 operate the facility or the type of children served by the
 283 facility.

284 (a) The standards shall be designed to address the
 285 ~~following areas:~~

286 1. ~~the health, sanitation, safety, and~~ sanitary adequate
 287 physical conditions surroundings for all children served by in
 288 child care facilities.

289 2. The health and nutrition of all children in child care.

290 3. The child development needs of all children in child
 291 care.

292 (2) PERSONNEL.—Minimum standards for child care personnel
 293 shall include minimum requirements as to:

294 (a) Good moral character based upon screening as defined
 295 in s. 402.302(15). This screening shall be conducted as provided
 296 in chapter 435, using the level 2 standards for screening
 297 provided set forth in that chapter, and include employment
 298 history checks, a search of criminal history records, sexual
 299 predator and sexual offender registries, and child abuse and
 300 neglect registry of any state in which the current or

301 prospective child care personnel resided during the preceding 5
 302 years. The department shall complete the screening and provide
 303 the results to the child care facility within 3 business days.
 304 If the department is unable to complete the screening within 3
 305 business days, the department shall issue the current or
 306 prospective child care personnel a 45-day-provisional-hire
 307 status while all required information is being requested and the
 308 department is awaiting results unless the department has reason
 309 to believe a disqualifying factor may exist. During the 45-day
 310 period, the current or prospective child care personnel must be
 311 under the direct supervision of a screened and trained staff
 312 member when in contact with children.

313 (e) Minimum training requirements for child care
 314 personnel.

315 1. Such minimum standards for training shall ensure that
 316 all child care personnel take an approved 40-clock-hour
 317 introductory course in child care, which course covers ~~at least~~
 318 the following topic areas:

319 a. State and local rules and regulations which govern
 320 child care.

321 b. Health, safety, and nutrition.

322 c. Identifying and reporting child abuse and neglect.

323 d. Child development, including typical and atypical
 324 language, cognitive, motor, social, and self-help skills
 325 development.

326 e. Observation of developmental behaviors, including using
 327 a checklist or other similar observation tools and techniques to
 328 determine the child's developmental age level.

329 f. Specialized areas, including computer technology for
 330 professional and classroom use and early literacy and language
 331 development of children from birth to 5 years of age, as
 332 determined by the department, for owner-operators and child care
 333 personnel of a child care facility.

334 g. Developmental disabilities, including autism spectrum
 335 disorder and Down syndrome, and early identification, use of
 336 available state and local resources, classroom integration, and
 337 positive behavioral supports for children with developmental
 338 disabilities.

339 h. Online training coursework, provided at no cost by the
 340 department, to meet minimum training standards for child care
 341 personnel.

342
 343 Within 90 days after employment, child care personnel shall
 344 begin training to meet the training requirements. Child care
 345 personnel shall successfully complete such training within 1
 346 year after the date on which the training began, as evidenced by
 347 passage of an in-person or online ~~a~~ competency examination.
 348 Successful completion of the 40-clock-hour introductory course
 349 shall articulate into community college credit in early
 350 childhood education, pursuant to ss. 1007.24 and 1007.25.

351 Exemption from all or a portion of the required training shall
352 be granted to child care personnel based upon educational
353 credentials or passage of competency examinations. Child care
354 personnel possessing a 2-year degree or higher that includes 6
355 college credit hours in early childhood development or child
356 growth and development, or a child development associate
357 credential or an equivalent state-approved child development
358 associate credential, or a child development associate waiver
359 certificate shall be automatically exempted from the training
360 requirements in sub-subparagraphs b., d., and e.

361 ~~2. The introductory course in child care shall stress, to~~
362 ~~the extent possible, an interdisciplinary approach to the study~~
363 ~~of children.~~

364 2.3. The introductory course shall cover recognition and
365 prevention of shaken baby syndrome; prevention of sudden infant
366 death syndrome; recognition and care of infants and toddlers
367 with developmental disabilities, including autism spectrum
368 disorder and Down syndrome; and early childhood brain
369 development within the topic areas identified in this paragraph.

370 3.4. On an annual basis in order to further their child
371 care skills and, if appropriate, administrative skills, child
372 care personnel who have fulfilled the requirements for the child
373 care training shall be required to take an additional 1
374 continuing education unit of approved inservice training, or 10
375 clock hours of equivalent training, as determined by the

376 department.

377 ~~4.5.~~ Child care personnel shall be required to complete
 378 0.5 continuing education unit of approved training or 5 clock
 379 hours of equivalent training, as determined by the department,
 380 in early literacy and language development of children from
 381 birth to 5 years of age one time. The year that this training is
 382 completed, it shall fulfill the 0.5 continuing education unit or
 383 5 clock hours of the annual training required in subparagraph 3.
 384 ~~4.~~

385 ~~5.6.~~ Procedures for ensuring the training of qualified
 386 child care professionals to provide training of child care
 387 personnel, including onsite training, shall be included in the
 388 minimum standards. It is recommended that the state community
 389 child care coordination agencies (central agencies) be
 390 contracted by the department to coordinate such training when
 391 possible. Other district educational resources, such as
 392 community colleges and career programs, can be designated in
 393 such areas where central agencies may not exist or are
 394 determined not to have the capability to meet the coordination
 395 requirements set forth by the department.

396 6.7. Training requirements ~~do shall~~ not apply to certain
 397 occasional or part-time support staff, including, but not
 398 limited to, swimming instructors, piano teachers, dance
 399 instructors, and gymnastics instructors.

400 ~~8. The department shall evaluate or contract for an~~

401 ~~evaluation for the general purpose of determining the status of~~
 402 ~~and means to improve staff training requirements and testing~~
 403 ~~procedures. The evaluation shall be conducted every 2 years. The~~
 404 ~~evaluation shall include, but not be limited to, determining the~~
 405 ~~availability, quality, scope, and sources of current staff~~
 406 ~~training; determining the need for specialty training; and~~
 407 ~~determining ways to increase inservice training and ways to~~
 408 ~~increase the accessibility, quality, and cost-effectiveness of~~
 409 ~~current and proposed staff training. The evaluation methodology~~
 410 ~~shall include a reliable and valid survey of child care~~
 411 ~~personnel.~~

412 7.9. The child care operator shall be required to take
 413 basic training in serving children with disabilities within 5
 414 years after employment, either as a part of the introductory
 415 training or the annual 8 hours of inservice training.

416 ~~(f) Periodic health examinations.~~

417 (7) SANITATION AND SAFETY.—

418 (a) Minimum standards shall include requirements for
 419 sanitary and safety conditions, first aid treatment, emergency
 420 procedures, and pediatric cardiopulmonary resuscitation. The
 421 minimum standards may not shall require more than two members of
 422 ~~that at least one~~ staff ~~person~~ trained in cardiopulmonary
 423 resuscitation, as evidenced by current documentation of course
 424 completion, to ~~must~~ be present at all times when ~~that~~ children
 425 are present.

426 (9) ADMISSIONS AND RECORDKEEPING.—

427 (a) Minimum standards shall include requirements for
 428 preadmission and periodic health examinations, requirements for
 429 immunizations, and requirements for maintaining emergency
 430 information and health records on all children.

431 ~~(b) During the months of August and September of each~~
 432 ~~year, each child care facility shall provide parents of children~~
 433 ~~enrolled in the facility detailed information regarding the~~
 434 ~~causes, symptoms, and transmission of the influenza virus in an~~
 435 ~~effort to educate those parents regarding the importance of~~
 436 ~~immunizing their children against influenza as recommended by~~
 437 ~~the Advisory Committee on Immunization Practices of the Centers~~
 438 ~~for Disease Control and Prevention.~~

439 ~~(c) During the months of April and September of each year,~~
 440 ~~at a minimum, each facility shall provide parents of children~~
 441 ~~enrolled in the facility information regarding the potential for~~
 442 ~~a distracted adult to fail to drop off a child at the facility~~
 443 ~~and instead leave the child in the adult's vehicle upon arrival~~
 444 ~~at the adult's destination. The child care facility shall also~~
 445 ~~give parents information about resources with suggestions to~~
 446 ~~avoid this occurrence. The department shall develop a flyer or~~
 447 ~~brochure with this information that shall be posted to the~~
 448 ~~department's website, which child care facilities may choose to~~
 449 ~~reproduce and provide to parents to satisfy the requirements of~~
 450 ~~this paragraph.~~

451 (b)~~(d)~~ Because of the nature and duration of drop-in child
 452 care, requirements for preadmission and periodic health
 453 examinations and requirements for medically signed records of
 454 immunization required for child care facilities shall not apply.
 455 A parent of a child in drop-in child care shall, however, be
 456 required to attest to the child's health condition and the type
 457 and current status of the child's immunizations.

458 (c)~~(e)~~ Any child shall be exempt from medical or physical
 459 examination or medical or surgical treatment upon written
 460 request of the parent or guardian of such child who objects to
 461 the examination and treatment. However, the laws, rules, and
 462 regulations relating to contagious or communicable diseases and
 463 sanitary matters shall not be violated because of any exemption
 464 from or variation of the health and immunization minimum
 465 standards.

466 (13) PLAN OF ACTIVITIES.—Minimum standards shall ensure
 467 that each child care facility has and implements a written plan
 468 for the daily provision of varied activities and active and
 469 quiet play opportunities appropriate to the age of the child.
 470 ~~The written plan must include a program, to be implemented~~
 471 ~~periodically for children of an appropriate age, which will~~
 472 ~~assist the children in preventing and avoiding physical and~~
 473 ~~mental abuse.~~

474 ~~(17) SPECIALIZED CHILD CARE FACILITIES FOR THE CARE OF~~
 475 ~~MILDLY ILL CHILDREN.—Minimum standards shall be developed by the~~

476 ~~department, in conjunction with the Department of Health, for~~
 477 ~~specialized child care facilities for the care of mildly ill~~
 478 ~~children. The minimum standards shall address the following~~
 479 ~~areas: personnel requirements; staff-to-child ratios; staff~~
 480 ~~training and credentials; health and safety; physical facility~~
 481 ~~requirements, including square footage; client eligibility,~~
 482 ~~including a definition of "mildly ill children"; sanitation and~~
 483 ~~safety; admission and recordkeeping; dispensing of medication;~~
 484 ~~and a schedule of activities.~~

485 Section 4. Section 402.3115, Florida Statutes, is amended
 486 to read:

487 402.3115 Elimination of duplicative and unnecessary
 488 inspections; abbreviated inspections; reports.-

489 (1) The Department of Children and Families and local
 490 governmental agencies that license child care facilities shall
 491 develop and implement a plan to eliminate duplicative and
 492 unnecessary inspections of child care facilities, family day
 493 care homes, and large family child care homes.

494 (2)(a) ~~In addition,~~ The department and the local
 495 governmental agencies shall develop and implement an abbreviated
 496 inspection plan for child care facilities that:

497 1. Have been licensed for at least 2 consecutive years;

498 2. Have had no Class 1 and no more than two of the same ~~or~~
 499 Class 2 deficiencies, as defined by rule, for at least 2
 500 consecutive years;

501 3. Have received at least two full onsite renewal
 502 inspections in the most recent 2 years;
 503 4. Do not have any current uncorrected violations; and
 504 5. Do not have any open regulatory complaints or active
 505 child protective services investigations.

506 (b) The abbreviated inspection must include those elements
 507 identified by the department and the local governmental agencies
 508 as being key indicators of whether the child care facility
 509 continues to provide quality care and programming and must be
 510 updated every 5 years.

511 (3) By December 31, 2024, and every 5 years thereafter,
 512 the department shall submit a report to the Governor, the
 513 President of the Senate, and the Speaker of the House of
 514 Representatives. The report must include, at a minimum,
 515 information concerning:

516 (a) Training requirements and coursework offered by the
 517 department to child care personnel. The report must include the
 518 results of a reliable and valid survey of child care personnel
 519 regarding such training and coursework. Such results must be
 520 used to make recommendations regarding:

521 1. The availability, quality, relevance, scope, cost
 522 effectiveness, and sources of current and prospective training.
 523 2. The need for specialty training.
 524 3. Approaches to increase inservice training.

525 (b) Licensing and regulation of child care facilities. The

526 report shall identify and make recommendations regarding:
 527 1. The elimination of unnecessary, vague, or redundant
 528 rules.
 529 2. Streamlined standards used to classify violations.
 530 3. The application of rules in a manner to eliminate
 531 subjectivity by licensing staff.
 532 4. Methods to simplify inspections.
 533 5. The elimination of duplicative and unnecessary
 534 inspections.
 535 (c) The plan developed and implemented under subsection
 536 (1).
 537 (4) The department shall adopt rules and revise policies
 538 based on the recommendations in the report.
 539 (5) The department shall revise the plan under subsection
 540 (1) as necessary to maintain the validity and effectiveness of
 541 inspections.
 542 (6) The department may contract for the production of the
 543 report required under subsection (3).
 544 Section 5. Subsection (1) of section 402.316, Florida
 545 Statutes, is amended to read:
 546 402.316 Exemptions.—
 547 (1)(a) The provisions of ss. 402.301-402.319, except for
 548 the requirements regarding screening of child care personnel,
 549 shall not apply to a child care facility:
 550 1. Which is an integral part of church or parochial

551 schools conducting regularly scheduled classes, courses of
 552 study, or educational programs accredited by, or by a member of,
 553 an organization which publishes and requires compliance with its
 554 standards for health, safety, and sanitation; or

555 2. Which is directly operated by a private employer and
 556 only attended by children or grandchildren of employees of such
 557 private employer.

558 (b) ~~However,~~ Such facilities shall still meet minimum
 559 requirements of the applicable local governing body as to
 560 health, sanitation, and safety and shall meet the screening
 561 requirements pursuant to ss. 402.305 and 402.3055.

562 (c) Failure by a facility to comply with such screening
 563 requirements shall result in the loss of the facility's
 564 exemption from licensure.

565 Section 6. Section 627.70161, Florida Statutes, is amended
 566 to read:

567 627.70161 Family day care and large family child care
 568 insurance.—

569 (1) PURPOSE AND INTENT.—The Legislature recognizes that
 570 family day care homes and large family child care homes fulfill
 571 a vital role in providing child care in Florida. It is the
 572 intent of the Legislature that residential property insurance
 573 coverage should not be canceled, denied, or nonrenewed solely on
 574 the basis of the ~~family~~ day care or child care services at the
 575 residence. The Legislature also recognizes that the potential

576 liability of residential property insurers is substantially
 577 increased by the rendition of child care services on the
 578 premises. The Legislature therefore finds that there is a public
 579 need to specify that contractual liabilities that arise in
 580 connection with the operation of the family day care home or
 581 large family child care home are excluded from residential
 582 property insurance policies unless they are specifically
 583 included in such coverage.

584 (2) DEFINITIONS.—As used in this section, the term:

585 (a) "Child care" means the care, protection, and
 586 supervision of a child, for a period of less than 24 hours a day
 587 on a regular basis, which supplements parental care, enrichment,
 588 and health supervision for the child, in accordance with his or
 589 her individual needs, and for which a payment, fee, or grant is
 590 made for care.

591 (b) "Family day care home" means an occupied residence in
 592 which child care is regularly provided for children from at
 593 least two unrelated families and which receives a payment, fee,
 594 or grant for any of the children receiving care, whether or not
 595 operated for a profit.

596 (c) "Large family child care home" means an occupied
 597 residence in which child care is regularly provided for children
 598 from at least two unrelated families, which receives a payment,
 599 fee, or grant for any of the children receiving care, regardless
 600 of whether operated for profit, and which has at least two full-

601 time child care personnel on the premises during the hours of
 602 operation. One of the two full-time child care personnel must be
 603 the owner or occupant of the residence. A large family child
 604 care home must first have operated as a licensed family day care
 605 home for at least 2 years, with an operator who has held a child
 606 development associate credential or its equivalent for at least
 607 1 year, before seeking licensure as a large family child care
 608 home. Household children under 13 years of age, when on the
 609 premises of the large family child care home or on a field trip
 610 with children enrolled in child care, shall be included in the
 611 overall capacity of the licensed home. A large family child care
 612 home may provide care for one of the following groups of
 613 children, which shall include household children under 13 years
 614 of age:

615 (a) A maximum of eight children from birth to 24 months of
 616 age.

617 (b) A maximum of 12 children, with no more than four
 618 children under 24 months of age.

619 (3) FAMILY DAY CARE AND LARGE FAMILY CHILD CARE;

620 COVERAGE.—A residential property insurance policy shall not
 621 provide coverage for liability for claims arising out of, or in
 622 connection with, the operation of a family day care home or
 623 large family child care home, and the insurer shall be under no
 624 obligation to defend against lawsuits covering such claims,
 625 unless:

626 (a) Specifically covered in a policy; or
 627 (b) Covered by a rider or endorsement for business
 628 coverage attached to a policy.

629 (4) DENIAL, CANCELLATION, REFUSAL TO RENEW PROHIBITED.—An
 630 insurer may not deny, cancel, or refuse to renew a policy for
 631 residential property insurance solely on the basis that the
 632 policyholder or applicant operates a family day care home or
 633 large family child care home. In addition to other lawful
 634 reasons for refusing to insure, an insurer may deny, cancel, or
 635 refuse to renew a policy of a family day care home or large
 636 family child care home provider if one or more of the following
 637 conditions occur:

638 (a) The policyholder or applicant provides care for more
 639 children than authorized ~~for family day care homes~~ by s.
 640 402.302;

641 (b) The policyholder or applicant fails to maintain a
 642 separate commercial liability policy or an endorsement providing
 643 liability coverage for the family day care home or large family
 644 child care home operations;

645 (c) The policyholder or applicant fails to comply with the
 646 applicable ~~family day care home~~ licensure and registration
 647 requirements specified in chapter 402 ~~s. 402.313~~; or

648 (d) Discovery of willful or grossly negligent acts or
 649 omissions or any violations of state laws or regulations
 650 establishing safety standards for family day care homes or large

651 family child care home by the named insured or his or her
 652 representative which materially increase any of the risks
 653 insured.

654 Section 7. Paragraphs (a) and (c) of subsection (3) of
 655 section 1002.55, Florida Statutes, are amended to read:

656 1002.55 School-year prekindergarten program delivered by
 657 private prekindergarten providers.—

658 (3) To be eligible to deliver the prekindergarten program,
 659 a private prekindergarten provider must meet each of the
 660 following requirements:

661 (a) The private prekindergarten provider must be a child
 662 care facility licensed under s. 402.305, family day care home
 663 licensed under s. 402.313, large family child care home licensed
 664 under s. 402.3131, nonpublic school exempt from licensure under
 665 s. 402.3025(2), faith-based or corporation-provided child care
 666 provider exempt from licensure under s. 402.316, child
 667 development program that is accredited by a national accrediting
 668 body and operates on a military installation that is certified
 669 by the United States Department of Defense, or private
 670 prekindergarten provider that has been issued a provisional
 671 license under s. 402.309. A private prekindergarten provider may
 672 not deliver the program while holding a probation-status license
 673 under s. 402.310.

674 (c) The private prekindergarten provider must have, for
 675 each prekindergarten class of 11 children or fewer, at least one

676 prekindergarten instructor who meets each of the following
 677 requirements:

678 1. The prekindergarten instructor must hold, at a minimum,
 679 one of the following credentials:

680 a. A child development associate credential issued by the
 681 National Credentialing Program of the Council for Professional
 682 Recognition; or

683 b. A credential approved by the Department of Children and
 684 Families as being equivalent to or greater than the credential
 685 described in sub-subparagraph a.

686

687 The Department of Children and Families may adopt rules under
 688 ss. 120.536(1) and 120.54 which provide criteria and procedures
 689 for approving equivalent credentials under sub-subparagraph b.

690 2. Within 45 days after commencing employment, the
 691 prekindergarten instructor must successfully complete three
 692 emergent literacy training courses that include developmentally
 693 appropriate and experiential learning practices for children and
 694 a student performance standards training course approved by the
 695 department as meeting or exceeding the minimum standards adopted
 696 under s. 1002.59. The prekindergarten instructor must complete
 697 an emergent literacy training course at least once every 5 years
 698 after initially completing the three emergent literacy training
 699 courses. The courses in this subparagraph must be recognized as
 700 part of the informal early learning and career pathway

701 identified by the department under s. 1002.995(1)(b). The
 702 requirement for completion of the standards training course
 703 shall take effect July 1, 2022. The courses must be made
 704 available online or in person.

705 Section 8. Paragraph (b) of subsection (2) of section
 706 1002.67, Florida Statutes, is amended to read:

707 1002.67 Performance standards and curricula.—

708 (2)

709 (b) Each private prekindergarten provider's and public
 710 school's curriculum must be developmentally appropriate and
 711 must:

712 1. Be designed to prepare a student for early literacy and
 713 provide for instruction in early math skills;

714 2. Enhance the age-appropriate progress of students in
 715 attaining the performance standards adopted by the department
 716 under subsection (1); ~~and~~

717 3. Support student learning gains through differentiated
 718 instruction that shall be measured by the coordinated screening
 719 and progress monitoring program under s. 1008.25(8). However,
 720 such program may not be used for direct student instruction; and

721 4. Prohibit student use of electronic devices for direct
 722 student instruction. However, electronic devices may be used to
 723 complete the coordinated screening and progress monitoring
 724 program under s. 1008.25(8).

725 Section 9. Subsection (2) and paragraphs (a) and (f) of

726 subsection (4) of section 1002.68, Florida Statutes, are amended
 727 to read:

728 1002.68 Voluntary Prekindergarten Education Program
 729 accountability.—

730 (2) Beginning with the 2023-2024 ~~2022-2023~~ program year,
 731 each private prekindergarten provider and public school in the
 732 Voluntary Prekindergarten Education Program must participate in
 733 a program assessment of each voluntary prekindergarten education
 734 classroom. The program assessment shall measure the quality of
 735 teacher-child interactions, including emotional support,
 736 classroom organization, and instructional support for children
 737 ages 3 to 5 years. The program assessment must be conducted in
 738 accordance with the requirements of the assessment provider.

739 Each private prekindergarten provider and public school in the
 740 Voluntary Prekindergarten Education Program shall receive from
 741 the department the results of the program assessment for each
 742 classroom within 14 days after the observation. Each early
 743 learning coalition shall be responsible for the administration
 744 of the program assessments which must be conducted by
 745 individuals qualified to conduct program assessments under s.
 746 1002.82 (2) (n).

747 (4) (a) Beginning with the 2023-2024 ~~2022-2023~~ program
 748 year, the department shall adopt a methodology for calculating
 749 each private prekindergarten provider's and public school
 750 provider's performance metric, which must be based on a

751 combination of the following:

752 1. Program assessment composite scores under subsection
753 (2), which must be weighted at no less than 50 percent.

754 2. Learning gains operationalized as change-in-ability
755 scores from the initial and final progress monitoring results
756 described in subsection (1).

757 3. Norm-referenced developmental learning outcomes
758 described in subsection (1).

759 (f) The department shall adopt procedures to annually
760 calculate each private prekindergarten provider's and public
761 school's performance metric, based on the methodology adopted in
762 paragraphs (a) and (b), and assign a designation under paragraph
763 (d). Beginning with the 2024-2025 ~~2023-2024~~ program year, each
764 private prekindergarten provider or public school shall be
765 assigned a designation within 45 days after the conclusion of
766 the school-year Voluntary Prekindergarten Education Program
767 delivered by all participating private prekindergarten providers
768 or public schools and within 45 days after the conclusion of the
769 summer Voluntary Prekindergarten Education Program delivered by
770 all participating private prekindergarten providers or public
771 schools.

772 Section 10. Paragraphs (j) and (l) of subsection (2) of
773 section 1002.82, Florida Statutes, are amended to read:

774 1002.82 Department of Education; powers and duties.—

775 (2) The department shall:

776 (j) Monitor the alignment and consistency of the standards
 777 and benchmarks developed and adopted by the department that
 778 address the age-appropriate progress of children in the
 779 development of school readiness skills. The standards for
 780 children from birth to kindergarten entry in the school
 781 readiness program must be aligned with the performance standards
 782 adopted for children in the Voluntary Prekindergarten Education
 783 Program and must address the following domains:

- 784 1. Approaches to learning.
- 785 2. Cognitive development and general knowledge.
- 786 3. Numeracy, language, and communication.
- 787 4. Physical development.
- 788 5. Executive-functioning ~~Self-regulation~~.

789 (1) Contract for a voluntary open-source school readiness
 790 curriculum that meets the performance standards pursuant to
 791 paragraph (j) that shall:

- 792 1. Be available on the Internet at no cost.
- 793 2. Contain resources that support the use of the
 794 curriculum.
- 795 3. Contain resources for parent engagement.
- 796 4. Consist of aligned and effective professional
 797 development resources necessary to implement the curriculum with
 798 fidelity ~~Adopt a list of approved curricula that meet the~~
 799 ~~performance standards for the school readiness program and~~
 800 ~~establish a process for the review and approval of a provider's~~

801 ~~curriculum that meets the performance standards.~~

802 Section 11. Subsection (6) of section 1002.83, Florida
803 Statutes, is amended to read:

804 1002.83 Early learning coalitions.—

805 (6) An ~~The~~ early learning coalition may appoint additional
806 at-large members ~~who must be private sector business members,~~
807 either for-profit or nonprofit, who do not have, and none of
808 whose relatives as defined in s. 112.3143 has, a substantial
809 financial interest in the design or delivery of the Voluntary
810 Prekindergarten Education Program created under part V of this
811 chapter or the school readiness program. The department shall
812 establish criteria for appointing private sector business
813 members. These criteria must include standards for determining
814 whether a member or relative has a substantial financial
815 interest in the design or delivery of the Voluntary
816 Prekindergarten Education Program or the school readiness
817 program.

818 Section 12. Paragraph (b) of subsection (4) of section
819 1002.89, Florida Statutes, is amended to read:

820 1002.89 School readiness program; funding.—

821 (4) COST REQUIREMENTS.—Costs shall be kept to the minimum
822 necessary for the efficient and effective administration of the
823 school readiness program with the highest priority of
824 expenditure being direct services for eligible children.
825 However, no more than 5 percent of the funds allocated in

826 paragraph (1) (a) may be used for administrative costs and no
 827 more than 22 percent of the funds allocated in paragraph (1) (a)
 828 may be used in any fiscal year for any combination of
 829 administrative costs, quality activities, and nondirect services
 830 as follows:

831 (b) Activities to improve the quality of child care as
 832 described in 45 C.F.R. s. 98.53, which shall be limited to the
 833 following:

834 1. Developing, establishing, expanding, operating, and
 835 coordinating resource and referral programs specifically related
 836 to the provision of comprehensive consumer education to parents
 837 and the public to promote informed child care choices specified
 838 in 45 C.F.R. s. 98.33.

839 2. Awarding grants and providing financial support to
 840 school readiness program providers and their staff to assist
 841 them in meeting applicable state requirements for the program
 842 assessment required under s. 1002.82(2)(n), child care
 843 performance standards, implementing the developmentally
 844 appropriate curriculum commissioned under s. 1002.82(2)(l)
 845 curricula and related classroom resources that support parent
 846 engagement curricula, providing literacy supports, providing
 847 reimbursements for background screenings, and providing
 848 continued professional development through the Teacher Education
 849 and Compensation Helps (TEACH) Scholarship Program under s.
 850 1002.95 and training aligned to the early learning professional

851 development standards and career pathways under s. 1002.995 ~~and~~
 852 ~~training~~. Any grants awarded pursuant to this subparagraph shall
 853 comply with ss. 215.971 and 287.058.

854 3. Providing training aligned with the early learning
 855 professional development standards and career pathways under s.
 856 1002.995, technical assistance, and financial support to school
 857 readiness program providers, staff, and parents on standards,
 858 child screenings, child assessments, child development research
 859 and best practices, developmentally appropriate curriculum
 860 commissioned under s. 1002.82 (2) (1), executive functioning
 861 curricula, ~~character development~~, teacher-child interactions,
 862 age-appropriate discipline practices, health and safety,
 863 nutrition, first aid, cardiopulmonary resuscitation, the
 864 recognition of communicable diseases, and child abuse detection,
 865 prevention, and reporting.

866 4. Providing, from among the funds provided for the
 867 activities described in subparagraphs 1.-3., adequate funding
 868 for infants and toddlers as necessary to meet federal
 869 requirements related to expenditures for quality activities for
 870 infant and toddler care.

871 5. Improving the monitoring of compliance with, and
 872 enforcement of, applicable state and local requirements as
 873 described in and limited by 45 C.F.R. s. 98.40.

874 6. Responding to Warm-Line requests by providers and
 875 parents, including providing developmental and health screenings

876 to school readiness program children.

877 Section 13. Paragraph (b) of subsection (4) of section
878 1002.945, Florida Statutes, is amended to read:

879 1002.945 Gold Seal Quality Care Program.—

880 (4) In order to obtain and maintain a designation as a
881 Gold Seal Quality Care provider, a child care facility, large
882 family child care home, or family day care home must meet the
883 following additional criteria:

884 (b) The child care provider must not have had three or
885 more of the same class II violations, as defined by rule of the
886 Department of Children and Families, within the 2 years
887 preceding its application for designation as a Gold Seal Quality
888 Care provider. Commission of three or more of the same class II
889 violations within a 2-year period shall be grounds for
890 termination of the designation as a Gold Seal Quality Care
891 provider until the provider has no class II violations that are
892 the same for a period of 1 year.

893 Section 14. Section 1002.95, Florida Statutes, is amended
894 to read:

895 1002.95 Teacher Education and Compensation Helps (TEACH)
896 Scholarship Program.—

897 (1) The department may contract for the administration of
898 the Teacher Education and Compensation Helps (TEACH) Scholarship
899 Program, which provides educational scholarships to instructors
900 ~~caregivers~~ and administrators of early childhood programs,

901 family day care homes, and large family child care homes. The
 902 goal of the program is to increase the education and training
 903 for instructors ~~caregivers~~, increase the compensation for child
 904 instructors ~~caregivers~~ who complete the program requirements,
 905 and reduce the rate of participant turnover in the field of
 906 early childhood education.

907 (2) An early learning coalition may support the Teacher
 908 Education and Compensation Helps (TEACH) Scholarship Program for
 909 instructors by reimbursing child care providers for the child
 910 care provider copayment portion of the program for each
 911 instructor who completes a child development associate
 912 credential in his or her service area which shall be funded in
 913 accordance with s. 1002.89(4)(b).

914 (3)~~(2)~~ The State Board of Education shall adopt rules as
 915 necessary to administer this section.

916 Section 15. Paragraph (b) of subsection (5) of section
 917 1008.25, Florida Statutes, is amended to read:

918 1008.25 Public school student progression; student
 919 support; coordinated screening and progress monitoring;
 920 reporting requirements.—

921 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

922 (b) A Voluntary Prekindergarten Education Program student
 923 who exhibits a substantial deficiency in early literacy skills
 924 in accordance with the standards under s. 1002.67(1)(a) and
 925 based upon the results of the administration of the final

926 coordinated screening and progress monitoring under subsection
 927 (8) shall be ~~referred to the local school district and may be~~
 928 eligible to receive intensive reading interventions before
 929 participating in kindergarten. Such intensive reading
 930 interventions shall be paid for using funds from the district's
 931 evidence-based reading instruction allocation in accordance with
 932 s. 1011.62(8).

933 Section 16. Paragraph (a) of subsection (4) of section
 934 39.101, Florida Statutes, is amended to read:

935 39.101 Central abuse hotline.—The central abuse hotline is
 936 the first step in the safety assessment and investigation
 937 process.

938 (4) USE OF INFORMATION RECEIVED BY THE CENTRAL ABUSE
 939 HOTLINE.—

940 (a) Information received by the central abuse hotline may
 941 not be used for employment screening, except as provided in s.
 942 39.202(2) (a) and (h) or s. 402.302(16) ~~s. 402.302(15)~~.

943 Section 17. Subsections (3) and (4) of section 1002.57,
 944 Florida Statutes, are amended to read:

945 1002.57 Prekindergarten director credential.—

946 (3) The prekindergarten director credential must meet or
 947 exceed the requirements of the Department of Children and
 948 Families for the child care facility director credential under
 949 s. 402.305(2) (f) ~~s. 402.305(2) (g)~~, and successful completion of
 950 the prekindergarten director credential satisfies these

951 requirements for the child care facility director credential.

952 (4) The department shall, to the maximum extent
 953 practicable, award credit to a person who successfully completes
 954 the child care facility director credential under s.
 955 402.305(2)(f) ~~s. 402.305(2)(g)~~ for those requirements of the
 956 prekindergarten director credential which are duplicative of
 957 requirements for the child care facility director credential.

958 Section 18. Subsection (1) of section 1002.59, Florida
 959 Statutes, is amended to read:

960 1002.59 Emergent literacy and performance standards
 961 training courses.—

962 (1) The department, in collaboration with the Just Read,
 963 Florida! Office, shall adopt minimum standards for courses in
 964 emergent literacy for prekindergarten instructors. Each course
 965 must comprise 5 clock hours and provide instruction in
 966 strategies and techniques to address the age-appropriate
 967 progress of prekindergarten students in developing emergent
 968 literacy skills, including oral communication, knowledge of
 969 print and letters, phonological and phonemic awareness, and
 970 vocabulary and comprehension development, consistent with the
 971 evidence-based content and strategies identified pursuant to s.
 972 1001.215(8). The course standards must be reviewed as part of
 973 any review of subject coverage or endorsement requirements in
 974 the elementary, reading, and exceptional student educational
 975 areas conducted pursuant to s. 1012.586. Each course must also

976 | provide resources containing strategies that allow students with
 977 | disabilities and other special needs to derive maximum benefit
 978 | from the Voluntary Prekindergarten Education Program. Successful
 979 | completion of an emergent literacy training course approved
 980 | under this section satisfies requirements for approved training
 981 | in early literacy and language development under ss.
 982 | 402.305(2)(e)4., 402.313(6), and 402.3131(5) ss.
 983 | ~~402.305(2)(e)5., 402.313(6), and 402.3131(5).~~

984 | Section 19. This act shall take effect July 1, 2023.